ADOPTED

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

August 10, 2016

61 September 13, 2016

LORI GLASGOW EXECUTIVE OFFICER

Dean C. Logan, Registrar of Voters County of Los Angeles Registrar of Voters 12400 Imperial Highway Norwalk, CA 90650 Lori Glasgow, Executive Officer/ Clerk of the Board, Board of Supervisors, Los Angeles County 500 W. Temple Street Los Angeles, CA 90012

Re: West Covina Unified School District November 8, 2016 Bond Measure Election

Enclosed please find the West Covina Unified School District Board of Education RESOLUTION NO. 17-1 "RESOLUTION OF THE BOARD OF EDUCATION OF THE WEST COVINA UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER" adopted on August 9, 2016 calling for a November 8, 2016 local bond election.

Also enclosed is our Tax Rate Statement.

We expect Exhibit B to be printed in its entirety in each sample ballot/voter pamphlet.

By this letter we are formally requesting to review a proof of the ballot statement language, the full text of the ballot proposition, impartial analysis and ballot arguments that would appear in the voter pamphlet prior to publishing. Please direct this proof to the undersigned as soon as it is available.

We believe that Education Code Section 15122.5 is not applicable and we request that the County not include the following "State Matching Funds" language in the ballot or voter pamphlet:

"Approval of Measure _____ does not guarantee that the proposed project or projects in the West Covina Unified School District that are the subject of bonds under Measure _____ will be funded beyond the local revenues generated by Measure _____. The district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure."

We would be more than happy to provide you with the resolution electronically in order to facilitate your work, or to assist with this process in any other manner.

This letter also authorizes you to contact David Casnocha of Stradling Yocca Carlson & Rauth, our bond counsel, at (415) 283-2241 if you have any questions.

Sincerely,

Charles D. Hinman, Superintendent

Enclosure

cc: David G. Casnocha

RESOLUTION NO. 17-01

RESOLUTION OF THE BOARD OF EDUCATION OF WEST COVINA UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Education (the "Board") is committed to improving the quality of education in local public schools by upgrading aging classrooms, improving student safety and supporting programs in math, science, engineering and technology; and

WHEREAS, the Board has determined that most schools within the West Covina Unified School District (the "District") were built more than 60-years ago and need to be upgraded, repaired, expanded, improved and better equipped, in a fiscally prudent manner, so that our schools can continue to serve the community for decades to come; and

WHEREAS, the Board believes it is in the best interest of the District to address facility improvements now and support quality instruction and the use of today's technology to provide a solid background in math, science and technology so our students can be prepared for college and good paying jobs; and

WHEREAS, whether or not our residents have school-age children, protecting the quality of our schools, the quality of life in our community, and the value of our homes, is a wise investment; and

WHEREAS, the State is not providing the District with enough money for the District to adequately maintain its educational facilities and academic programs; and

WHEREAS, the Board has concluded that the District's only remedy to avoid undermining its educational programs is to secure local funding which the State cannot take away or be used for other purposes; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its bonding capacity; and

WHEREAS, a local measure will help provide funds that cannot be taken away by the State to upgrade aging schools and help the District to qualify for State matching funds; and

WHEREAS, such measure will include mandatory taxpayer protections, including an independent citizens' oversight committee and mandatory audits to ensure funds are spent as promised; and

WHEREAS, the Board and District has solicited stakeholder and community input on school priorities from parents, teachers, staff, the community and civic leaders; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold for *ad valorem* tax levies used to pay for debt service on bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Education Code Section 15264) (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight that are contained in Proposition 39 and the Act; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities; and

WHEREAS, pursuant to Education Code Section 15270, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per \$100,000 of assessed valuation of taxable property; and

WHEREAS, Elections Code Section 9400 et seq. requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

WHEREAS, the Board desires to authorize the filing of a tax rate statement and a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 8, 2016, and to request the Los Angeles County Registrar of Voters to perform certain election services for the District.

NOW THEREFORE, THE BOARD OF EDUCATION OF THE WEST COVINA UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 et seq., 15264 et seq., and Government Code Section 53506, hereby requests the Los Angeles County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal amount of \$143,000,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the projects described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter pamphlet.

Section 2. That the date of the election shall be November 8, 2016.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "A," incorporated by reference herein, and containing the question of whether the District shall issue the Bonds to pay for improvements to the extent permitted by such proposition. In compliance with Proposition 39 policies of the Board and the Act, the ballot propositions in Exhibits "A" and "B" are subject to the following requirements and determinations:

- (a) the proceeds of the sale of the Bonds shall be used only for the purposes set forth in the ballot measure and not for any other purpose, including teacher or administrator salaries or other school operating expenses;
- (b) that the Board, in establishing the projects set forth in Exhibit "B," evaluated student safety and security, class size reduction, and the information technology needs of the District as well as the importance of the projects to improve student learning in core subjects like health sciences, engineering, technology and skilled trades;
- (c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in Exhibit "B" hereto;
- (d) that the Board shall cause an annual, independent financial audit of the proceeds from sale of Bonds to be conducted until all of the Bond proceeds have been expended;
- (e) that the Board shall appoint a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274;
- (f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limits per \$100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIIIA of the California Constitution;
- Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 et seq., 15264 et seq., and Government Code Section 53506.
- Section 5. That the authority for the specifications of this election order is contained in Education Code Section 5322.
- Section 6. That the Los Angeles County Registrar of Voters and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 8, 2016 within the District. As provided in Elections Code Section 10403, the District acknowledges that the consolidation election will be conducted in the manner described in Elections Code Section 10418.
- Section 7. That the Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the Los Angeles County Registrar of Voters no later than August 12, 2016.
- Section 8. That Bonds may be issued pursuant to Education Code Section 15264 *et seq*. or Government Code Section 53506. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.
- Section 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass of the returns of the election be made by any body or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal

arguments, as appropriate, to be filed with the Los Angeles County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Education Code Section 5303 and Elections Code Section 10002, the Board of Supervisors of Los Angeles County is requested to permit the Registrar of Voters to render all services specified by Elections Code Section 10418 relating to the election, for which services the District agrees to reimburse Los Angeles County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Elections Code Section 9401) pursuant to the terms of Education Code Section 5363 and Elections Code Section 12112.

ADOPTED, SIGNED AND APPROVED this 9th day of August, 2016.

BOARD OF EDUCATION OF THE WEST COVINA UNIFIED SCHOOL DISTRICT

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STATE OF CALIFORNIA

LOS ANGELES COUNTY

I,Charles Hinman, do hereby certify that the foregoing is a true and correct copy of Resolution No.17-01, which was duly adopted by the Board of Education of the West Covina Unified School District at the meeting thereof held on the 9th day of August, 2016, and that it was so adopted by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTENTIONS: 0

Secretary

EXHIBIT A

"West Covina Unified School District Repair/ Security Measure. To upgrade and modernize outdated classrooms, science labs/ career-training facilities to support 21st Century instruction and student achievement in math, science, engineering, arts and skilled trades, repair/ replace deteriorating roofs, plumbing, electrical systems/ portables, improve student/ campus safety, repair, acquire/ construct classrooms, sites, facilities, equipment/ technology, shall West Covina Unified School District issue \$143,000,000 in bonds at legal rates, with independent citizen oversight, audits, no money for administrator salaries, and all money staying local?"

Bonds - Yes

Bonds - No

EXHIBIT B

FULL TEXT BALLOT PROPOSITION OF THE WEST COVINA UNIFIED SCHOOL DISTRICT BOND MEASURE ELECTION NOVEMBER 8, 2016

The following is the full proposition presented to the voters by the West Covina Unified School District.

"West Covina Unified School District Repair/ Security Measure. To upgrade and modernize outdated classrooms, science labs/ career-training facilities to support 21st Century instruction and student achievement in math, science, engineering, arts and skilled trades, repair/ replace deteriorating roofs, plumbing, electrical systems/ portables, improve student/ campus safety, repair, acquire/ construct classrooms, sites, facilities, equipment/ technology, shall West Covina Unified School District issue \$143,000,000 in bonds at legal rates, with independent citizen oversight, audits, no money for administrator salaries, and all money staying local?"

PROJECT LIST

The Board of Education of the West Covina Unified School District is committed to improving the quality of education in local public schools with safe, secure, upgraded classrooms, labs and technology needed to support high quality instruction in math, science, engineering and technology. To that end, the Board evaluated the District's urgent and critical facility needs, including the age of District schools, student safety, class size reduction, computer and information technology, and prepared a Facilities Needs Assessment Report – March 2016, which is incorporated herein in its entirety, in developing the scope of projects to be funded. The District conducted a facilities evaluation and received public input in developing this Project List. Teachers, staff, community members and the Board have prioritized the key health and safety needs so that the most critical facility needs are addressed. The Board concluded that protecting the quality of our schools, the quality of life in our community, and the value of our homes is a wise investment. Therefore, in approving this Project List, the Board of Education determines that the District must:

- (i) Provide classrooms, labs and equipment for career and technology education classes so students are prepared for college and in-demand jobs in fields like health sciences, engineering, technology, and skilled trades; and
- (ii) Improve student safety and campus security systems, including security lighting, security cameras, emergency communication systems, smoke detectors, fire alarms, and sprinklers; and
- (iii) Repair or replace deteriorating roofs, plumbing, heating, ventilation, and electrical systems, where needed; and
- (iv) Provide the facilities, equipment and technology needed to support high quality instruction in math, science, engineering, and technology; and
- (v) Adhere to clear system of accountability, such as:
 - (a) All expenditures must be subject to annual independent financial audits.

(b) An independent citizens' oversight committee must be appointed to ensure that all funds are spent properly.

The Project List includes the following types of upgrades and improvements at District schools and sites:

LOCAL SCHOOL FUNDING TO SUPPORT HIGH QUALITY INSTRUCTION IN MATH, SCIENCE, ENGINEERING AND TECHNOLOGY:

Basic School Repair and Upgrade Projects

<u>Goals and Purposes</u>: All money raised by the measure will stay local to support our students. It cannot be taken away by the State or used for other purposes.

If we want our students to succeed in college and careers, they must be skilled in the use of today's technologies and have a solid background in science, math, and technology. This measure will make this possible.

Since most of our schools were built more than 60-years ago and require ongoing maintenance and improvements. Essential repairs and improvements must be made so that these schools can serve our community well for the decades to come.

- Replace aging portable classrooms that are expensive to repair and maintain with modern classrooms.
- Repair or replace deteriorating roofs, plumbing, heating, ventilation and electrical systems, where needed.
- Provide facilities and technology needed to support high quality instruction in math, science and technology.
- Provide facilities and equipment needed to support high quality instruction in music and performing arts.
- Repair or replace old, worn-out athletic facilities to support student health, fitness and athletic programs.

LOCAL FUNDING TO IMPROVE STUDENT SAFETY AND SECURITY:

Projects That Improve Student Safety and Preparedness For College and Good Paying Jobs

Goal and Purpose: Whether or not you have school-age children, protecting the quality of our schools, the quality of life in our community, and the value of our homes is a wise investment.

- Improve student safety and campus security systems, including security lighting, cameras, emergency communication systems, smoke detectors, fire alarms and sprinklers.
- Provide classrooms, labs and equipment for career and technology education classes so students are prepared for college and in-demand jobs in fields like health sciences, engineering, technology, and skilled trades
- Create modern, multi-use classrooms to support hands-on instruction and learning-by-doing.
- Keep educational technology in the classroom up-to-date.
- Improve pick-up and drop-off zones and parking lots to improve student safety and traffic flow on neighborhood streets.
- Upgrade children's playground equipment and play areas to meet current health and safety standards.

FISCAL ACCOUNTABILITY

This bond measure has strict accountability requirements including:

- 1. All money will benefit local schools and CANNOT BE TAKEN BY THE STATE.
- 2. NO MONEY can be used for ADMINISTRATOR SALARIES.
- 3. Require CITIZENS' OVERSIGHT and yearly reports to the community to keep the District accountable for how the funds are spent.
- 4. <u>NO TEACHER OR ADMINISTRATOR SALARIES</u>. Proceeds from the sale of the bonds authorized by this proposition shall be used only for the acquisition, construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, and not for any other purpose, including teacher or administrator salaries, pensions and other operating expenses.
- THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

* * *

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, and a customary contingency for unforeseen design and construction costs. In addition

to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List; payment of the costs of preparation of all facility planning, facility studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects.

In addition to the projects listed above, the repair, renovation, construction and equipping of school facilities includes, some or all of the following: renovate student and staff restrooms; upgrade libraries for 21st Century learning; construct classrooms and multipurpose buildings; repair and replace heating, air conditioning and ventilation systems; upgrade of facilities for energy efficiencies, including energy management systems; repair and replace worn-out and deteriorated roofs, windows, floors, floor coverings, walls, doors and drinking fountains; create single point of entry at school sites; improve or construct facilities for art, science, music, performing arts; improve school facilities for disability access; install shade structures, wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; upgrade or construct classrooms, labs, support facilities (including administrative, non-student instruction spaces and District office), physical education (including playground equipment), and central and site kitchens; repair and replace gas, plumbing, water and sewer systems and lines, fire alarms, fire safety systems, phone systems, emergency communications, security systems, doors and locks; resurface or replace hard courts, asphalt, turf and irrigation and water conservation systems and campus landscaping; expand or modify parking lots, parking structures, and drop-off areas; acquire land; interior and exterior painting and floor covering; demolition; construct various forms of storage and support spaces and classrooms; repair, upgrade and install interior and exterior lighting systems; construct, renovate or improve playgrounds, athletic fields, stadiums, pools, bleachers, lockers, tracks and play apparatus; install unitary surfacing in existing playgrounds; and replace outdated fences, security gates and cameras (including access control systems). The upgrading of technology infrastructure includes, but is not limited to, fiber optics, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, call manager and network security/firewall, wireless technology systems, refresh classroom technology, infrastructure upgrades and other miscellaneous equipment.

The allocation of bond proceeds will be affected by the final costs of each project. The budget for each project is an estimate and may be affected by factors beyond the District's control. Some projects throughout the District may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to bond projects.

Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

NO ADMINISTRATOR SALARIES: PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND SCHOOL ADMINISTRATOR SALARIES AND OTHER OPERATING EXPENSES.

Tax Rate Statement West Covina Unified School District Bond Measure November 8, 2016 Election

To: The voters voting in the November 8, 2016 election on the question of the issuance of \$143,000,000 General Obligation Bonds of the West Covina Unified School District.

You are hereby notified in accordance with Section 9401 of the Elections Code of the State of California of the following:

1. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the first sale of bonds, based on assessed valuations available at the time of the election and taking into account estimated future growth, is the following:

\$.060000 per \$100 of assessed valuation, which equates to \$60.00 per \$100,000.

First fiscal year after the first sale of bonds: 2017-2018.

2. The best estimate from official sources of the tax rate which would be required to be levied to fund principal and interest payments during the first fiscal year after the last sale of bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

\$.060000 per \$100 of assessed valuation, which equates to \$60.00 per \$100,000.

First fiscal year after last sale of bonds: 2026-2027.

3. The best estimate from official sources of the highest tax rate which would be required to be levied to fund principal and interest payments on the bonds and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

\$.060000 per \$100 of assessed valuation, which equates to \$60.00 per \$100,000.

Year of highest tax rate: 2017-2018 and thereafter.

4. The best estimate from official sources of the total debt service, including the principal and interest, which would be required to be repaid, if all of the bonds are issued and sold, based on interest rate information along with assessed valuations available at the time of the election and taking into account estimated future growth, is as follows:

Estimated total debt service, including the principal and interest: \$257,507,200.

The attention of all voters is directed to the fact that the foregoing information is based upon projections and estimates only. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The date of sale and the amount of bonds sold at any given time will be determined by the District based on its need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of sale. Actual future assessed valuations will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process. Accordingly, the actual tax rates and the years in which such rates are applicable may vary from those presently estimated as above stated.

Superintendent of the West Coving Unified School District

Charles D. Hinman, Ed. D.



West Covina Unified School District

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